

EXHIBIT DC

[PUBLIC VERSION]

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

CUSTODIA BANK, INC.,

Plaintiff,

vs.

No.

FEDERAL RESERVE BOARD OF

22-cv-00125-SWS

GOVERNORS and FEDERAL RESERVE

BANK OF KANSAS CITY,

Defendants.

CONFIDENTIAL DEPOSITION OF JACKIE NUGENT, a
witness, taken on behalf of the Plaintiff before
Kelsey Robbins Schmalz, CSR No. 1571, CCR No. 1148,
RPR, pursuant to Notice on the 15th of November,
2023, at the offices of the Federal Reserve Bank of
Kansas City, 1 Memorial Drive, Kansas City, Missouri.

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1 Q. So can you give me an estimate, say,
2 of how many different calls you may have had or
3 emails with Albert Forkner after that first on in
4 2018 as you move forward in time?

5 MS. CARLETTA: Objection. Form.

6 A. I can't begin to give an estimate.

7 BY MR. ORTIZ:

8 Q. Dozens?

9 MS. CARLETTA: Objection. Form.

10 A. Numerous.

11 BY MR. ORTIZ:

12 Q. Over how long a period of time?

13 A. I don't know when we started more
14 heavily engaging, but I think we didn't -- I think we
15 didn't start talking on a more regular basis until
16 2019.

17 Q. And what prompted you to start talking
18 on a more often basis -- and you said heavily
19 engaging. What does that mean? What does heavily
20 engaging mean?

21 A. So set up routine calls with the --
22 with Albert and his staff.

23 Q. And were these routine calls set up
24 with Albert and his staff all specifically directed
25 at what I call the SPDI legislation, the special

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1 purpose depository institution?

2 A. Less so about the legislation and more
3 so out of interest in their progress to develop a
4 supervisory framework for those entities.

5 Q. By the time you got heavily engaged,
6 had the legislation already been passed, if you know?

7 MS. CARLETTA: Objection. Form.

8 A. By the time I got heavily engaged --
9 can you ask the question again?

10 BY MR. ORTIZ:

11 Q. Sure. There is testimony in this case
12 and numerous records that representatives from the
13 Kansas City Fed actually worked extensively with
14 Wyoming legislators on the actual language in the
15 SPDI bill, and I'm wondering did you know that or
16 were you part of that?

17 MS. CARLETTA: Objection. Form and
18 misstates testimony.

19 A. I am unaware of any extent of
20 engagement between us and a legislator.

21 BY MR. ORTIZ:

22 Q. Did you have any interaction with
23 Veronica Sellers from legal or anyone from her team
24 that were interacting directly with the Wyoming
25 legislators drafting this bill?